

MUNICIPALITY OF THE DISTRICT OF ARGYLE POLICY AND ADMINISTRATION MANUAL	REFERENCE NUMBER _____
SECTION EMPLOYEE BENEFITS	SUBJECT OVERTIME

1. APPLICATION

1.1. This policy applies to all employees of the Municipality.

2. PURPOSE

2.1. The purpose of this policy is to explain how the Municipality will compensate employees for hours worked outside of the regular hours of operation of the Municipality. The assignment of work for employees shall, in so far as is possible, be scheduled to be undertaken during regular work hours. When it is necessary to schedule overtime work for an employee, or, in the case of management employees to undertake overtime work themselves, such overtime shall always be assigned or undertaken in a manner that ensures the work is completed as economically and efficiently as possible. Time off in lieu of overtime pay for all employees shall be the norm, rather than the exception.

3. DEFINITIONS

3.1. In this policy:

- a) “CAO” means the Chief Administrative Officer of the Municipality of Argyle.
- b) “Regular Hours of Operation” means 8:30 a.m. to 4:30 p.m., Monday to Friday.

4. GENERAL GUIDELINES

4.1. All employees are expected to be mindful of the need to reduce and contain costs while striving to maintain and improve the quality and effectiveness of services provided by the Municipality. It is incumbent upon all staff members to question the necessity of overtime.

4.2. Employees are required, to the extent that it is possible, to complete the work they are responsible for performing each day. It is understood that, on occasion, duties and responsibilities may require an employee to remain at their office or work location a short time beyond the regular time of leaving. However, for overtime in excess of thirty (30) minutes, employees who are not in management positions will normally be granted time off to compensate for extra hours of work that, from time to time, may be required.

4.3. The general rule is that overtime in any year shall be taken and fully used prior to year’s end. However, where it is shown to the satisfaction of the CAO that it is not possible for an employee to fully deplete overtime accumulated during any one year, arrangements may be made for the overtime to be depleted during the months of January and February of the immediate succeeding year.

4.4. Employees who are assisting in a municipal event which takes place outside of the regular hours of operation of the Municipality, will be compensated under this policy for the hours worked during the event.

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4.5. In the event the municipal offices are closed due to inclement weather or for any other reason deemed sufficient by the CAO, the overtime hours submitted will be reimbursed to the employee.

4.6. Any legal guidelines found contrary to this policy will supersede this policy.

4.7. **Public Works and Maintenance Staff** are required to be on call to respond to emergency alarms and to remove snow during winter months.

- a) Being “On Call” for work means that the designated employee must be within 45 minutes of his ordinary place of work and must be able to be contacted by the public or other municipal staff, by calling the cell phone provided to the employee by the Municipality for that purpose.
- b) When designated as “on call” by his supervisor, the employee will be compensated at a rate of \$100/week. This compensation will be paid with the regular bi-weekly payroll.
- c) A schedule of “on call” requirements will be provided by the employees’ supervisor. The schedule may be altered according to circumstances as deemed necessary by the supervisor.
- d) Designated employees who fail to respond to a call will forfeit the compensation for that service for that day and will be reprimanded for failure to respond.

4.8. Public Works and Maintenance Staff Call Out

- a) Public Works Employees recalled to work outside their regular hours of work shall be paid not less than three hours at their regular rate of pay, notwithstanding that the employee worked less than three hours.
- b) Public Works Employees recalled to work outside their regular hours of work who work more than two hours shall be paid at their regular hourly rate or at one and one-half times their regular rate of pay for the actual hours worked should they work more than 48 hours in one week, or may choose to take time off in lieu.
- c) Public Works Employees shall not be considered recalled to work if the hours worked are continuous to, either before or after regular hours of work, or if arranged prior to the employee leaving his place of work

5. CALCULATED RATE

5.1. The calculated rate for overtime shall be one hour off for each overtime hour worked, unless the hour worked was for an emergency or on call purpose.

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5.2. The calculated rate for overtime hours worked for an emergency or on call purpose will follow the schedule outlined in section 7.2.

6. ELIGIBILITY

6.1. Management employees, by virtue of their positions (Heads of departments, Deputy Municipal Clerk-Treasurer, and the CAO), understand they are, from time to time, required to put in extra hours to fulfil their individual responsibilities. Employees in such positions may be granted time off from regular work hours to compensate for periods of overtime that extend beyond the normal, extra reasonable time that can be required on certain days to respond to government or meeting deadlines, tax payer concerns, or to sort out situations under their supervision or their management. Unless special or extenuating circumstances warrant, management employees shall not be entitled to receive monetary compensation in lieu of time off for overtime hours.

6.2. Management employees shall clear, with the CAO, their taking of time off for overtime worked. An employee shall not be unreasonably restricted by the CAO from taking time off, as long as the services provided by the Municipality are not negatively affected. It is understood that it may be necessary for the CAO to select the time that is to be taken off by an employee, rather than for the employee to make that choice.

7. PAYMENT IN LIEU OF TIME OFF

7.1. Based on the emergency, “on call” nature of the following positions, it is possible that they may apply under special circumstances to the CAO, to be paid for overtime rather than take time off. The CAO shall have discretionary authority of approval.

- a) I.T. Technologist
- b) Wastewater Operator
- c) Facilities Maintenance

7.2. In the event an employee is paid for his/her overtime, the overtime will be paid at the rate of:

- a) Regular time for all hours worked outside of the regular hours of operation of the Municipality in a week, excluding holidays.
- b) Time and a half for all hours worked over 48 hours in a week and outside of the regular hours of operation of the Municipality, excluding holidays.
- c) Regular time plus time and a half for all hours worked on holidays. The holidays included in this section are those included in the *Nova Scotia Labour Standards Code*. (See Schedule A for list of holidays)

7.3. Employees accumulating overtime hours for time worked at a third-party organization will be required to be paid for those hours. The third-party organization will then be invoiced to cover the costs of those hours.

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8. OVERTIME APPROVAL PROCESS

- 8.1.** Employees are not obligated to obtain approval to work overtime from their Supervisors prior to the overtime work being carried out. However, after overtime work has been completed, the employee will record their time on a personal overtime spreadsheet managed by their Supervisor. The employee shall indicate the date on which the overtime was worked, the reason for it and the amount of extra hours worked.
- 8.2.** On a weekly basis, the Supervisor will send a summary e-mail of overtime hours worked by each of their employees to the Payroll Administrator. The Payroll Administrator will then update the amount of overtime hours of each employee in the overtime central bank spreadsheet and the payroll module to be subsequently recorded on each employee's pay stub. In the event that the amount of overtime hours on the pay stub differs from the amount on the personal overtime spreadsheet, the amount on the pay stub will supersede.
- 8.3.** The CAO or designate is responsible for authorizing overtime work for management employees, as well as any payroll transaction in lieu of time off. As identified in section 6 of this policy, monetary compensation will only be approved where special or extenuating circumstances apply.
- 8.4.** The CAO, or designate, also has overall responsibility for:
- a) monitoring the effectiveness of the policy
 - b) assisting employees in the policy's implementation;
 - c) providing Council with recommendations for consideration as to any changes in content which may be considered desirable and which may improve the effectiveness of the policy.
- 8.5.** Prior to taking time off for extra hours worked, the CAO shall clear his or her intention to do so with the Warden. The Director of Finance and the Municipal Clerk will approve the CAO's request upon direction of the Warden.
- 8.6.** The Municipal Council has overall responsibility for the initial approval of this Policy, and for approving any future changes or amendments that may be made in content or direction.

9. COMMITTEE AND COUNCIL MEETING ATTENDANCE

- 9.1.** Employees not in management positions are, from time to time, required to be present at Council and Committee meetings for the taking of minutes, advising on tax sale matters and land use planning, and for other municipal government purposes. The policy of the Municipality shall be to continue to reimburse these employees for their required participation, provided the meeting takes place outside of normal day time working hours. The rate of reimbursement shall be \$75.00 per meeting. It is the responsibility of employees to submit expense claims after each meeting that has been attended. Employees who receive monetary reimbursement for their participation at meetings will not be entitled to

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take extra time off from their normal work hours as a result of overtime participation in meetings.

9.2. The CAO and other management employees will not receive any monetary compensation for attendance at meetings.

9.3. Reimbursement of all other travel expense for required attendance at meetings that are held in locations other than the offices in Tusket will be at the approved kilometre rate, whether or not such meetings take place during or outside of normal working hours.

10. RETIRING EMPLOYEES

10.1. Employees ending their employment with the Municipality and drawing upon pension benefits as provided under the Municipality's Pension Plan are suggested to use their accumulated overtime hours before the date of proposed retirement from their position.

10.2. No overtime will be paid in lieu of time off to employees intending to retire.

11. TERMINATED AND RESIGNING EMPLOYEES

11.1. Employees who are terminated by the Municipality or choose to leave their position with the Municipality will not be paid for their remaining overtime hours.

11.2. Employees who resign from their position will not be permitted to use any overtime hours to reduce their obligated notice period.

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SCHEDULE A

Holidays

- New Year's Day
- Family Day Canada
- Good Friday

- Easter Monday

- Victoria Day
- Canada Day

- Natal Day
- Labour Day

- Thanksgiving Day

- Remembrance Day
- Christmas Day
- Boxing Day

DRAFT

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VERSION LOG

Version Number	Amendment Description	Amendment/Policy Owner	Approved By	Approval Date
1.0	Approved Policy of Council	CAO	Council	January 1988
2.0		CAO	Council	December 13, 1988
3.0	Added more information regarding process	CAO	Council	January 13, 2003
4.0	Clarification regarding eligibility, payment in lieu and retiring and terminated employees.	CAO	Council	April 24, 2018
5.0	Added section 4.7	CAO	Council	

Chief Administrative Officer's Annotation for Official Policy Book

Date of Notice to Council Members
Of Intent to Consider [7 days minimum]: April 10, 2018

Date of Passage of Current Policy: April 24, 2018

I certify that this Policy was adopted by Council as indicated above.

Warden

Date

CAO

Date